IN THE HIGH COURT OF JUDICATURE AT PATNA
CR. WJC No.100 of 2008
NEHA KUMARI @ NEHA SINGH & ANR
Versus
STATE OF BIHAR & ANR
---

2 12.12.2008 The petitioner no.1, Neha Kumari @ Neha Singh claims to have married petitioner no.2, Mantosh Kumar Singh. The petitioner states that no case under section 366A/34 of the I.P.C. would be made out as both of them are major and have married with each other on their own will.

In support of their contention they relied upon Annexures- 2 and 3 of the writ application.

The F.I.R. being Bariyarpur P.S. Case No.101/2007 has been lodged by the father of petitioner no.1 alleging therein that petitioner no.2 in league with others has kidnapped his minor daughter.

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The learned counsel for the State submits that the petitioners should appear before the I.O. of this case to put forth their claim in respect of being major or married to each other.

This Court is of the view that the petitioners should appear before the I.O. of the case within five weeks from today stating therein that no case under section 366A/34 of the I.P.C. would be made out.

No coercive actions would be taken against themfor five weeks. The I.O.would conclude the investigation in accordance with law, thereafter.

Anilksinha **(Samarendra Pratap Singh,J.)**

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